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PEOPLE'S
REGULATORY AUTH.

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May 18, 2001

VIA HAND DELIVERY

Mr. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: *Docket to Establish Generic Performance Measurements, Benchmarks and Enforcement Mechanisms for BellSouth Telecommunications, Inc.*

Docket No. 01-00193

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Initial Objections to AT&T's First Set of Data Requests. Copies of the enclosed are being provided to counsel of record for all known parties.

Very truly yours,



Joelle Phillips

JP/jej

Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Docket to Establish Generic Performance Measurements, Benchmarks and Enforcement Mechanisms for BellSouth Telecommunications, Inc.*

Docket No. 01-00193

**BELLSOUTH TELECOMMUNICATIONS, INC.'S INITIAL
OBJECTIONS TO AT&T'S FIRST SET OF DATA REQUESTS**

BellSouth Telecommunications, Inc. ("BellSouth") files its initial objections to AT&T's first set of data requests. On May 7, 2001, AT&T filed 69 data requests, not including subparts.

GENERAL OBJECTIONS

Objection to Quantity

1. BellSouth objects to each and every one of AT&T's first set of data requests because they exceed the number of discovery requests permitted under the Authority's Rule of Procedure, §1220-1-2-.11(5)(a). The Rule prohibits a party from serving more than forty (40) discovery requests, including subparts, without having first obtained leave of the Authority or Hearing Officer.

Without waiving its right to raise this objection regarding future data requests, BellSouth agrees to respond to the excessive data requests, even though the number of requests violates the rule, in order to avoid delay.

Objections to Definitions

2. BellSouth objects to the definition of "BellSouth" to the extent that AT&T has included BellSouth's parent corporation or any affiliate over which BellSouth does not have control. The basis for this objection is simple. BellSouth and BellSouth Corporation are two separate legal entities, with BellSouth Corporation owning BellSouth. As the owned corporation, BellSouth does not have the authority or ability to require BellSouth Corporation to answer any interrogatories or to produce any documents. Furthermore, to the extent that AT&T seeks to pierce the corporate veil that separates these two corporations, BellSouth states that BellSouth Corporation has not been involved in the

preparations for this proceeding. BellSouth did not review its positions in this proceeding with BellSouth Corporation. Any attempt to obtain discovery from BellSouth Corporation through the definition of "BellSouth" in this proceeding is inappropriate.

Objections to General Instructions

3. BellSouth objects to the instructions to the extent that the instructions attempt to impose obligations upon BellSouth that are not required by the Tennessee Rules of Civil Procedure or by the rules and regulations of the Tennessee Regulatory Authority ("TRA").

SPECIFIC OBJECTIONS

REQUEST 44: For the months of October 2000 through February 2001, please state, by month, the percentage of coordinated cutovers in Tennessee that involved IDLC.

OBJECTION: BellSouth does not maintain in the regular course of its business, information related to "hot cuts" categorized by the nature of the facilities involved, such as IDLC. BellSouth believes that it does not retain this information at all, but it is possible that such information may exist, for the period requested, somewhere in BellSouth's voluminous files. That is, it might be possible to identify every hot cut, and then look at BellSouth's historical records to determine whether the customer whose service was involved had been served using IDLC at any time. However, such an effort would have to be done manually, if it could be done at all, and would be unduly burdensome, expensive and generally onerous. BellSouth, therefore, objects to this interrogatory.

REQUEST 45: For the months of October 2000 through February 2001, please state the number and percentage of coordinated customer conversion service orders in Tennessee involving IDLC for which BellSouth failed to meet the Coordinated Hot Cut Timeliness % Within Interval Measure.

OBJECTION: BellSouth objects to this interrogatory on the same basis as set forth in its objection to Interrogatory 44, immediately preceding. BellSouth incorporates its objection to Interrogatory 44 as fully as if set out in its entirety.

REQUEST 49: Beginning with October 1, 2000 provide the service order accuracy rate for CLP orders and the service order accuracy rate for BellSouth's retail operation for Tennessee and the BellSouth region. For purposes of this interrogatory, "service order accuracy rate" with respect to CLP orders is defined as the percentage of service orders for CLPs that were processed by BellSouth exactly as they were ordered or prepared by the CLPs.

OBJECTION: BellSouth objects to this interrogatory on the grounds that it is unduly burdensome and oppressive. BellSouth does not mechanically record, on an historical basis, whether the service order requests submitted by the CLECs were processed exactly as submitted or whether some change was necessitated. The only way to ascertain the answer to this question would be to go back and find the service order request submitted by the CLEC and then compare it to the service order that was issued, which would have to be done manually, if it could be done at all for the period requested.

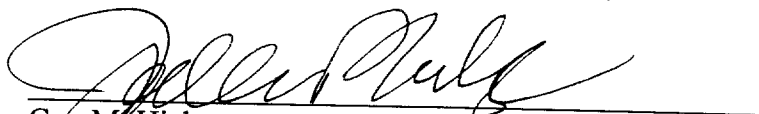
REQUEST 62: For the months of October 2000 through February 2001, please provide the following information for each SEEM measure described below:

Measure	For CLP Service Orders	For CLP Service Orders	For BST Retail Analog Service Orders	For BST Retail Analog Service Orders
	% Field Dispatch	% Central Office Dispatch	% Field Dispatch	% Central Office Dispatch
Average Completion Interval/UNE Loops				
% Missed Installation Appointments/UNE Loops				
Maintenance Avg. Duration/UNE Loops				
% Provisioning Troubles within 30 Days/UNE Loops				

OBJECTION: BellSouth objects to this interrogatory on the basis that it is unduly burdensome and oppressive. First, it is not clear that all of the data that would be responsive exists for the period and items requested. Furthermore, if the information does exist, BellSouth does not maintain its records in the ordinary course of its business in a manner that allows the collection of the data requested in the detail requested for the period requested. If all of the information were available, deriving the information would require an intensive manual effort that would be expensive, time-consuming, and that could not be accomplished before the date scheduled for the hearing in this matter in any event. Subject to the objection, BellSouth is trying to collect the data that it does have available that is responsive to this request and will provide that data at the appropriate time.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

A handwritten signature in black ink, appearing to read "Guy M. Hicks", written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2001, a copy of the foregoing document was served on the following parties, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☒ Facsimile
- ☐ Overnight

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A handwritten signature in black ink, appearing to read "John E. Hastings", is written over a horizontal line.